

REMARKS

After entry of this Amendment, claims 4-13, 18, 19, 21-24, 28-42, 44-46, and 51-71 will be pending in this application. Applicant notes with appreciation the Examiner's indication that the pending claims are allowable over the prior art of record, as well as the Examiner's withdrawal of the Restriction Requirement mailed September 28, 2005. Original claims 28-30 have thus been reinstated herein. No new matter has been added.

Consent of Assignee

The 37 CFR 3.73 Statement filed on November 17, 2006 is objected to under 37 CFR 1.172(a) as naming an assignee different from the assignee of record. Applicant submits that the documentation reflecting the change of name from NUP2 Incorporated to Contour Semiconductor Inc. has been recorded against the original patent, U.S. Patent No. 5,889,694, as well as against the present application. The substitute 37 CFR 3.73 Statement submitted herewith reflects this change.

Substitute Specification

The substitute specification filed November 17, 2006 is objected to as utilizing improper markings to indicate deleted and amended matter. Applicant respectfully submits that the marked-up substitute specification submitted herewith is fully responsive to this objection. No new matter has been added.

Amendment to Claims

The Amendment to the claims filed April 24, 2009 is objected to as utilizing improper markings. Applicant respectfully submits that the claim listing submitted herewith is fully responsive to this objection. The claim listing indicates that original claims 1-3, 14-17, 20, and 25-27 have been cancelled, original claims 4-13, 18, 19, and 21-24 have been amended, claims 28-30 are in their original form, new claims 31-42, 44-46, 51-71 have been added, and previously added claims 43, 47-50, and 72-87 have been cancelled.

Reissue Declaration

Claims 4-13, 18, 19, 21-24, 28-42, 44-46, and 51-71 are rejected as being based upon a defective reissue declaration under 35 U.S.C. §251. Specifically, the reissue declaration submitted November 17, 2006 is objected to as not specifically identifying at least one error in the original patent claims. Applicant respectfully submits that the substitute reissue declaration submitted herewith is fully responsive to this rejection.

CONCLUSION

In light of the foregoing, Applicant respectfully submits that all claims are now in condition for allowance.

Applicant believes that no additional fees are necessitated by the present Response. However, in the event that any additional fees are due, the Commissioner is hereby authorized to charge any such fees to Deposit Account No. 07-1700.

If the Examiner believes that a telephone conversation with Applicant's agent would expedite allowance of this application, the Examiner is cordially invited to call the undersigned.

Respectfully submitted,

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